

Message Text

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ACTION EA-09

INFO OCT-01 ISO-00 CIAE-00 DODE-00 PM-04 H-01 INR-07

L-03 NSAE-00 NSC-05 PA-01 PRS-01 SP-02 SS-15

USIA-06 DHA-02 IO-13 AS-01 /071 W

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R 060753Z JUL 77

FM AMEMBASSY MANILA

TO SECSTATE WASHDC 1991

C O N F I D E N T I A L MANILA 10368

E. O. 11652: GDS

TAGS: SHUM, PINT, RP

SUBJECT: AQUINO CASE: MARCOS DENIES PLEA FOR TRANSFER TO CIVIL COURT

REF: MANILA 10026

1. ON JULY 3, PRESIDENT MARCOS SENT LETTER TO AQUINO RECITING LATTER'S REQUEST TO HAVE HIS CASE TRANSFERRED FROM MILITARY TRIBUNAL TO CIVIL COURTS. TEXT OF MARCOS' LETTER, AS PRODUCED IN LOCAL PRESS JULY 6, FOLLOWS: BEGIN TEXT: MR. AQUINO: I HAVE JUST RECEIVED YOUR LETTER APPEAR OF JULY 1, 1977 SEEKING THE RECONSIDERATION OF THE DECISION ADVERSE TO YOUR PETITION FOR THE TRANSFER OF YOUR CASES FROM THE MILITARY TRIBUNAL TO THE CIVIL COURTS. WHILE I UNDERSTAND THE EMOTIONS YOU EXPRESSED IN YOUR LETTER AND SYMPATHIZE WITH YOU IN YOUR PRESENT PREDICAMENT, NEITHER YOUR EMOTIONS NOR MY SYMPATHY CAN AND SHOULD ALTER THE MORAL AND LEGAL SITUATION. THEREFORE, THE APPEAL IS WITHOUT BASIS OR MERIT AND WITH MUCH REGRET I AM CONSTRAINED TO DENY IT. SINCERELY, (SGD.) FERDINAND E. MARCOS, PRESIDENT. END TEXT.

2. PRESS ALSO PRINTED TEXT OF LETTER TO AQUINO FROM INFORMATION SECRETARY TATAD DENYING HE HAD BROKEN AGREEMENT TO KEEP IN "UTMOST CONFIDENCE" JUNE 21 MARCOS-AQUINO MEETING.

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3. JULY 6 HEARING BEFORE MILITARY COMMISSION NO. 2 QUICKLY BECAME BOGGED DOWN IN LEGAL ARGUMENT. COMMISSION SEEMED LESS SOLICITOUS TOWARD DEFENSE THAN AT LAST TWO SESSIONS. AQUINO FIRST SOUGHT TO READ ALOUD RECENT EXCHANGE OF LETTERS WITH DEFENSE SECRETARY ENRILE WHICH HAVE NOT YET APPEARED IN PRESS. COMMISSION DENIED REQUEST. AQUINO'S MILITARY

COUNSEL (COL. SANTOS) THEN SAID HE HAD DRAWN UP AND WISHED TO PRESENT MOTIONS FOR RECONSIDERATION OF RULINGS ON PAST TESTIMONY AND EXHIBITS AND FOR VERDICT OF NOT GUILTY ON CHARGES OF MURDER AND FIREARMS POSSESSION. COL. SANTOS ADDED HE WAS IN PROCESS OF PREPARING MOTION FOR VERDICT OF NOT GUILTY ON SUBVERSION CHARGE AS WELL AND REQUESTED 15-DAY ADJOURNMENT TO FINISH PREPARATION. COMMISSION ACCUSED DEFENSE OF DELAYING TACTICS AND WOULD NOT ALLOW MOTIONS. INSTEAD, COMMISSION DIRECTED FIVE-DAY ADJOURNMENT UNTIL JULY 11 FOR DEFENSE TO FINISH PREPARING MOTIONS. FOLLOWED BY TWO-DAY ADJOURNMENT FOR PROSECUTION TO PREPARE WRITTEN REPLY, WITH COMMISSION'S VERDICT ON MOTIONS TO BE ANNOUNCED JULY 19.
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Message Attributes

Automatic Decaptioning: X
Capture Date: 01-Jan-1994 12:00:00 am
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: COURT PROCEEDINGS, TRIALS
Control Number: n/a
Copy: SINGLE
Sent Date: 06-Jul-1977 12:00:00 am
Decaption Date: 01-Jan-1960 12:00:00 am
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 22 May 2009
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1977MANILA10368
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
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Errors: N/A
Expiration:
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Format: TEL
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Original Handling Restrictions: n/a
Original Previous Classification: n/a
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Page Count: 2
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Reference: 77 MANILA 10026
Retention: 0
Review Action: RELEASED, APPROVED
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Review Event:
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Review Media Identifier:
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
SAS ID: 1953258
Secure: OPEN
Status: NATIVE
Subject: AQUINT CASE: MARCOS DENIES PLEA FOR TRANSFER TO CIVIL COURT
TAGS: SHUM, PINT, RP, (MARCOS, FERDINAND)
To: STATE
Type: TE
vdkgvwkey: odb://SAS/SAS.dbo.SAS_Docs/df7f3570-c288-dd11-92da-001cc4696bcc
Review Markings:
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